

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 654

Introduced by Assembly Member Hall

February 21, 2013

An act to amend Section 19817 of the Business and Professions Code, and to amend Section 12012.85 of the Government Code, relating to gaming.

LEGISLATIVE COUNSEL’S DIGEST

AB 654, as amended, Hall. ~~Tribal gaming—Gambling.~~

Existing law establishes the California Gambling Control Commission and requires the commission to establish a Gaming Policy Advisory Committee composed of representatives of controlled gambling licensees and members of the general public. Existing law requires the executive director of the commission to convene this advisory committee, from time to time, for the purpose of discussing recommended controlled gambling regulatory policy.

This bill would require the advisory committee to meet at least twice per year, and would require the commission to consult with the committee on recommended proposed regulations.

Existing law permits specified federally recognized Indian tribes to conduct gaming on Indian lands in California pursuant to compacts negotiated by the Governor and ratified by the Legislature. Existing law creates the Indian Gaming Special Distribution Fund for the receipt of moneys received by the state from the tribes conducting gaming according to the terms established by the compacts, which moneys are available for appropriation by the Legislature for specified purposes.

This bill would make nonsubstantive, technical changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 19817 of the Business and Professions*
2 *Code is amended to read:*

3 19817. The commission shall establish and appoint a Gaming
4 Policy Advisory Committee of 10 members. The committee shall
5 be composed of representatives of controlled gambling licensees
6 and members of the general public in equal numbers. The executive
7 director shall, ~~from time to time~~ *at least twice per year*, convene
8 the committee for the purpose of discussing matters of controlled
9 gambling regulatory policy and any other relevant gambling-related
10 issue. *The commission shall consult with the committee on*
11 *proposed regulations.* The recommendations concerning gambling
12 policy *and proposed regulations* made by the committee shall be
13 presented to the commission, but shall be deemed advisory and
14 not binding on the commission in the performance of its duties or
15 functions. The committee ~~may~~ *shall* not advise the commission
16 on Indian gaming.

17 ~~SECTION 1.~~

18 *SEC. 2.* Section 12012.85 of the Government Code is amended
19 to read:

20 12012.85. There is hereby created in the State Treasury a fund
21 called the “Indian Gaming Special Distribution Fund” for the
22 receipt and deposit of moneys received by the state from Indian
23 tribes pursuant to the terms of tribal-state gaming compacts. These
24 moneys shall be available for appropriation by the Legislature for
25 the following purposes:

26 (a) Grants, including any administrative costs, for programs
27 designed to address gambling addiction.

28 (b) Grants, including any administrative costs, for the support
29 of state and local government agencies impacted by tribal
30 government gaming.

31 (c) Compensation for regulatory costs incurred by the State
32 Gaming Agency and the Department of Justice in connection with
33 implementing and administering tribal-state gaming compacts.

1 (d) Payment of shortfalls that may occur in the Indian Gaming
2 Revenue Sharing Trust Fund. This shall be the priority use of
3 moneys in the Indian Gaming Special Distribution Fund.

4 (e) Disbursements for the purpose of implementing the terms
5 of tribal labor relations ordinances promulgated in accordance with
6 the terms of tribal-state gaming compacts ratified pursuant to
7 Chapter 874 of the Statutes of 1999. No more than 10 percent of
8 the funds appropriated in the Budget Act of 2000 for
9 implementation of tribal labor relations ordinances promulgated
10 in accordance with those compacts shall be expended in the
11 selection of the Tribal Labor Panel. The Department of Human
12 Resources shall consult with and seek input from the parties prior
13 to any expenditure for purposes of selecting the Tribal Labor Panel.
14 Other than the cost of selecting the Tribal Labor Panel, there shall
15 be no further disbursements until the Tribal Labor Panel, which
16 is selected by mutual agreement of the parties, is in place.

17 (f) Any other purpose specified by law.

18 (g) Priority for funding from the Indian Gaming Special
19 Distribution Fund is in the following descending order:

20 (1) An appropriation to the Indian Gaming Revenue Sharing
21 Trust Fund in an aggregate amount sufficient to make payments
22 of any shortfalls that may occur in the Indian Gaming Revenue
23 Sharing Trust Fund.

24 (2) An appropriation to the Office of Problem and Pathological
25 Gambling within the State Department of Alcohol and Drug
26 Programs for problem gambling prevention programs.

27 (3) The amount appropriated in the annual Budget Act for
28 allocation between the Department of Justice and the California
29 Gambling Control Commission for regulatory functions that
30 directly relates to Indian gaming.

31 (4) An appropriation for the support of local government
32 agencies impacted by tribal gaming.